

**United States District Court**  
**for**  
**Middle District of Tennessee**

**Report on Offender Under Supervision**

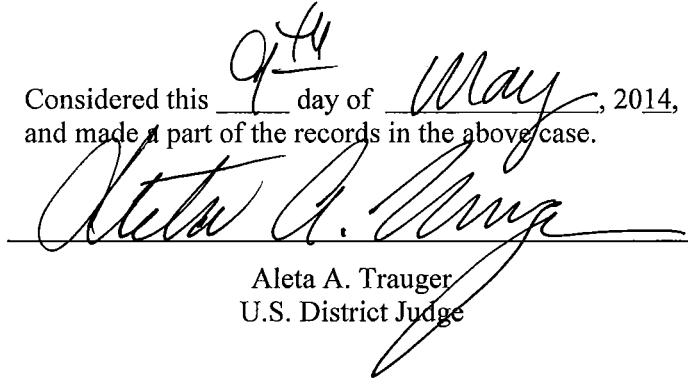
Name of Offender: Randall Howard Malone Case Number: 3:10-00031  
Name of Sentencing Judicial Officer: Honorable Aleta A. Trauger, U.S. District Judge  
Date of Original Sentence: July 22, 2010  
Original Offense: 18 U.S.C. § 2113(a) Bank Robbery  
Original Sentence: 46 months' custody followed by 3 years' supervised release  
Type of Supervision: Supervised Release Date Supervision Commenced: May 30, 2012  
Assistant U.S. Attorney: Philip H. Wehby Defense Attorney: Dumaka Shabazz

---

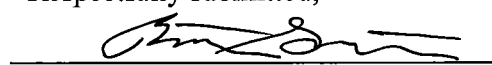
**THE COURT ORDERS:**

- ☒ No Action  
☐ The Issuance of a Warrant  
    ☐ Sealed Pending Warrant Execution  
        (cc: U.S. Probation and U.S. Marshal only)  
☐ The Issuance of a Summons  
☐ Other

Considered this 9<sup>th</sup> day of May, 2014,  
and made a part of the records in the above case.

  
Aleta A. Trauger  
U.S. District Judge

I declare under penalty of perjury  
that the foregoing is true and correct.  
Respectfully submitted,

  
Britton Shelton  
U.S. Probation Officer

Place: Nashville, Tennessee

Date: May 9, 2014

## ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
----------------------	--------------------------------

- |    |  |
|----|--|
| 1. | <b><u>The defendant shall refrain from any unlawful use of a controlled substance.</u></b> |
|----|--|

On May 1, 2014, Mr. Malone tested positive for the prescription pain medication Oxycodone. He does not have a prescription for this medication and could provide no explanation for why this substance would show up in his system. He does have an active prescription for Hydrocodone, which he takes for pain in his shoulder.

### **Compliance with Supervision Conditions and Prior Interventions:**

Mr. Malone began his current term of supervised release on May 30, 2012. He was previously on supervised release from April 2005 until June 2007, for a Bank Robbery in May 2000. That period of supervised release was revoked in June 2007, due to drug use and failure to comply with release conditions.

As a condition of his current term of supervised release, he was to reside in a halfway house for the first six months of supervision. Mr. Malone resided at the Diersen Charities RRC from May 2012 to September 2012. An agreed order was submitted in September 2012, to allow him to move into his own apartment. Mr. Malone has resided alone since September 2012. His social security disability benefits were reinstated in September 2012, and he has TennCare insurance, which covers the cost of his mental health treatment and medications.

Mr. Malone has been diagnosed with Bipolar Disorder, Polysubstance Dependence, and Antisocial Personality Disorder. He attended weekly therapy sessions with Centerstone Mental Health until January 2013, when his treatment was reduced to twice per month, due to his compliance and stability.

In April 2013, a report was submitted to the Court regarding a positive drug test for cocaine and Mr. Malone's admitted use. The Court agreed with no action and allowed Mr. Malone to continue on supervision so that he could continue to receive mental health and substance abuse treatment. Mr. Malone began attending Centerstone weekly to address his drug use.

In June 2013, a report was submitted to the Court regarding failure to report for a drug test and a positive drug test for cocaine. Mr. Malone admitted his continued cocaine use and voluntarily enrolled in a 28-day inpatient substance abuse treatment program at the Elam Center. Mr. Malone completed this program on July 29, 2013. In August 2013, he was referred back to Centerstone Mental Health to continue weekly outpatient mental health and substance abuse treatment, as recommended by the Elam Center. He also continued to receive services provided by Park Center Mental Health.

In December 2013, a report was submitted to the Court reporting Mr. Malone had, again, tested positive for cocaine, on November 15, 2013. At that time, it was decided he needed to return to more intensive substance abuse treatment and he enrolled in the Intensive Outpatient treatment program at the Park Center. Mr. Malone later completed that program and he remains in individual treatment with the Park Center, to address his ongoing needs.

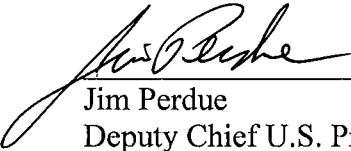
Mr. Malone has paid a total of \$390 toward his restitution. His last restitution payment was April 2014. He has been instructed to make restitution payments monthly. His current balance is \$810.

**U.S. Probation Officer Recommendation:**

Mr. Malone's violation history is of abusing cocaine, his drug of choice. The positive drug test for Oxycodone, for which he has no prescription, is unusual, but the probation office will continue to randomly drug test him and address any issues as they arise. Given this information, and based on Mr. Malone's history, it is respectfully recommended that action on this violation be deferred at this time and he be allowed to continue on supervision to continue taking advantage of substance abuse and mental health treatment. However, these violations may be considered in the future, if necessary. Any future violations will be promptly reported to the Court.

The U.S. Attorney's Office concurs with the probation officer's recommendation.

Approved:

  
\_\_\_\_\_  
Jim Perdue

Deputy Chief U.S. Probation Officer